

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

**MBZ-0465**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

APPLICATION NO. (If known, see)

10 / 524466

INTERNATIONAL APPLICATION NO.  
PCT/EP2002/010045

INTERNATIONAL FILING DATE  
09.09.2002

PRIORITY DATE CLAIMED  
09.09.2002

**TITLE OF INVENTION**    Fluidising Composition

APPLICANT(S) FOR DO/EO/US Gerhard ALBRECHT, Max OPPLIGER, Qiwei YANG, Hubertus Matthias ZINK

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: International Preliminary Examination Report, International Search Report  
Copies of Cited References; English-language equivalents for non-English cited references

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. <b>024466</b>		INTERNATIONAL APPLICATION NO. PCT/EP2002/010045		ATTORNEY'S DOCKET NUMBER MBZ-0465	
21. The following fees are submitted:					
<input checked="" type="checkbox"/>	a) Basic national fee	\$300.00		\$300.00	
<input checked="" type="checkbox"/>	b) Examination fee	\$200.00		\$200.00	
<input checked="" type="checkbox"/>	c) Search fee	\$400.00		\$400.00	
TOTAL OF ABOVE CALCULATIONS =		\$900.00		\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
16	-100 = 0	/50 = 0	x \$0.00	\$ 0.00	
Surcharge of \$0.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	18 - 20 =	0	X \$0.00	\$ 0.00	
Independent claims	2 - 3 =	0	X \$0.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$0.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$0.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$ 0.00	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$0.00 per property				+ \$ 0.00	
TOTAL FEES ENCLOSED =				\$900.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$900.00
a. <input checked="" type="checkbox"/> A check in the amount of \$ 900.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3275</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 23575			SIGNATURE: <i>Joseph G. Curatolo</i>		
			Joseph G. Curatolo, Esq.		
			NAME		
			28,837		
			REGISTRATION NUMBER		

01524466

DT01 Rec'd PCT/PTC 14 FEB 2005

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February 14, 2005

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(signature of person mailing paper)

2-14-2005  
(date)

TRANSMITTAL LETTER FOR PATENT APPLICATION

Express Mail No. EV468904138US

Docket No. MBZ-0465

Dear Sirs:

Transmitted herewith is a written application for patent filed pursuant to 35 USC §371, which is a national stage application of International Application No. PCT/EP2002/010045, filed September 9, 2002, from which application priority is claimed.

Title: Fluidising Composition  
Inventors: Gerhard Albrecht, Max Oppliger, Qiwei Yang, Hubertus Matthias Zink  
Assignee: Construction Research & Technology GmbH

Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)  
Transmittal Letter United States Designated/Elected Office Concerning Filing Under 35USC371 (PTO-1390) (2 pages)  
Combined Declaration and Power of Attorney, Unexecuted (3 pages)  
Specification as Filed (10 Pages Description, 5 Pages Claims, 1 Page Abstract)  
Preliminary Amendment (14 pages)  
Application Data Sheet  
Copy - International Preliminary Examination Report

February 14, 2005

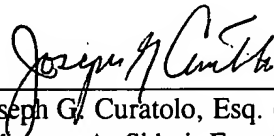
10,524,466 Page 2  
PT01 Rec'd PCT/PTC 14 FEB 2005

Copy - International Search Report  
Copy - International Publication No. WO 2004/024646 A1  
Information Disclosure Statement  
Form PTO/SB08A  
Copies of Cited References (4) (two English-language equivalents)  
Check in the amount of \$900.00  
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Authorization to Charge Deposit Account

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBZ-0465 that might be required to effect the filing of these documents to Account No. 50-3275. This authorization is being submitted in duplicate.

Respectfully submitted,



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14 February 2005  
Date